1	JEREMY M. DELICINO		
2	Nevada Bar No. 9331 10 West Broadway, Suite 650		
3	Salt Lake City, Utah 84101 (801) 364-6474 (Voice)		
4	(801) 364-5014 (Fax) Attorney for Defendant,		
_	Antoine Mouton		
5	UNITED STATES DISTRICT COURT		
6	DISTRICT OF NEVADA		
7			
8	UNITED STATES OF AMERICA,	3:12-CR-00049-RCJ-VPC	
9	Plaintiff,		
10	VS.	STIPULATION TO CONTINUE TRIAL	
11	ANTOINE MOUTON,	(Second Request)	
12	Defendant.		
13			
14	IT IS HEREBY STIPULATED AND AG	GREED, by and between Daniel G. Bogden,	
15	United States Attorney, and Carla Higginbotham, Assistant United State Attorney, counsel for		
16	the United States of America, and Jeremy M. Delicino, counsel for Antoine Mouton, that the		
17	calendar call currently scheduled for October 22, 2012 and the trial currently scheduled for		
18	October 30, 2012 at 9:00 a.m., be vacated and set to a date and time convenient for this Court;		
19	however, no event earlier than (30) days.		
20	This Stipulation is entered into for the following reasons:		
21	1. Counsel for Mr. Mouton needs additional time to confer with Mr. Mouton's		
22	counsel in California to see if a global resolution in this matter is possible. While it is anticipal		
23	that the instant case will be resolved by plea shortly, counsel would like to confer with Steve		

25 2. The defendant does not object to the continuance.

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- 3. The United States agrees to the continuance.
- The additional time requested herein is not sought for purpose of delay, but 4. merely to allow counsel for the defendant sufficient time to effectively negotiate a global resolution of Mr. Mouton's case, if possible.

Kalar, Mouton's federal attorney in California, to obtain the best resolution for both cases.

is anticipated

## 5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(D) and Title 18, United States Code, Sections 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv). DATED this 12<sup>th</sup> day of October, 2012. DANIEL G. BOGDEN United States Attorney /s/ Jeremy M. Delicino /s/ Carla Higginbotham By: By: CARLA HIGGINBOTHAM JÉREMY M. DELICINO Counsel for Antoine Mouton Assistant United States Attorney Counsel for Plaintiff

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1	UNITED STATES DISTRICT COURT		
2	DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA,	3:12-CR-00049-RCJ-VPC	
4	Plaintiff,		
5	VS.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER	
6	ANTOINE MOUTON,		
7	Defendant.		
8 9			
10	FINDING OF FACTS		
11	Based on the pending Stipulation of counsel, and good cause appearing therefore, the		
12	Court finds that:		
13	1. Counsel for Mr. Mouton needs additional time to confer with Mr. Mouton's		
14	counsel in California to see if a global resolution in this matter is possible. While it is anticipated		
15	that the instant case will be resolved by plea shortly, counsel would like to confer with Steve		
16	Kalar, Mouton's federal attorney in California, to obtain the best resolution for both cases.		
17	2. The defendant does not object to the continuance.		
18	3. The United States agrees to the co	ontinuance.	
19	4. The additional time requested herein is not sought for purpose of delay, but		
20	merely to allow counsel for the defendant sufficient time to effectively and thoroughly research,		
21	prepare and file appropriate pretrial motions, and prepare for trial.		
22	5. The additional time requested by this Stipulation is excludable in computing the		
23	time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,		
24	United States Code, Section 3161(h)(1)(D) and Title 18, United States Code, Sections		
25	3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).		
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CONCLUSIONS OF LAW The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence. The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(1)(A), 3161(h)(7) and Title 18, United States Code, Sections 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv). **ORDER** IT IS THEREFORE ORDERED that the calendar call currently scheduled for October 22, 2012, be vacated and continued to November 26, 2012. In addition, the trial currently scheduled for October 30, 2012, should be vacated and continued to December 18, 2012. DATED this day of October, 2012. **ROBERT C. JONES** UNITED STATES DISTRICT JUDGE